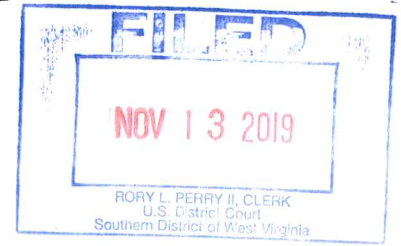


UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON GRAND JURY 2019
NOVEMBER 13, 2019 SESSION



UNITED STATES OF AMERICA

v.

CRIMINAL NO. 2:19-cr-00241
21 U.S.C. § 841(a)(1)
21 U.S.C. § 846

SRIRAMLOO KESARI, M.D.
KRISTINA TRUXHALL

SECOND
SUPERSEDING
INDICTMENT

The Grand Jury Charges:

BACKGROUND

At all times material to this Second Superseding Indictment:

1. Defendant SRIRAMLOO KESARI, M.D., was a medical doctor licensed to practice medicine in the State of West Virginia.
2. Defendant KRISTINA TRUXHALL, was an individual working with defendant SRIRAMLOO KESARI, M.D. at his medical practice in the Southern District of West Virginia.
3. Defendant SRIRAMLOO KESARI, M.D., had an active Drug Enforcement Administration (DEA) registration number that allowed him to prescribe controlled substances, including Schedule III controlled substances, for legitimate medical purposes in the usual course of his professional medical practice and within the bounds of medical practice.
4. Under the Controlled Substances Act, Title 21, United States Code Section 841(a) et seq., and Title 21, Code of Federal Regulations, Section 1306.04, a prescription for a controlled

substance is not legal or effective unless issued for a legitimate purpose by a practitioner acting in the usual course of professional practice.

5. Defendant SRIRAMLOO KESARI, M.D., with the assistance of defendant KRISTINA TRUXHALL, routinely prescribed various Schedule III controlled substances, including Buprenorphine and Suboxone, for his patients outside the usual course of professional practice and without a legitimate medical purpose.

COUNT ONE
(Conspiracy to Distribute a Controlled Substance)

6. The Grand Jury realleges and incorporates by reference paragraphs one through five of this Second Superseding Indictment as though fully set forth herein.

7. From in or about October 2018, through in or about May 2019, at or near Danville, Boone County, West Virginia, and elsewhere, within the Southern District of West Virginia, defendants SRIRAMLOO KESARI, M.D., KRISTINA TRUXHALL, and other persons, whose identities are known and unknown to the grand jury, knowingly conspired to commit an offense in violation of 21 U.S.C. § 841(a)(1), that is, knowingly and intentionally to distribute quantities of Buprenorphine and Suboxone, Schedule III controlled substances.

In violation of Title 21, United States Code, Section 846.

COUNTS TWO THROUGH THIRTEEN
(Unlawful Distribution of Controlled Substances)

8. The Grand Jury realleges and incorporates by reference paragraphs one through seven and Count One of this Second Superseding Indictment as though fully set forth herein.

9. On or about the dates set forth in each count below, at or near Danville, Boone County, West Virginia, and elsewhere, within the Southern District of West Virginia, defendant SRIRAMLOO KESARI, M.D. did knowingly, intentionally, and without authority, distribute a


mixture and substance containing a detectable amount of Buprenorphine and Suboxone, Schedule III controlled substances, as listed below, without a legitimate medical purpose and outside the usual course of professional practice, each of which constitutes a separate count of this Second Superseding Indictment:

Count	Approximate Date of Distribution	Patient	Controlled Substance
2	January 4, 2019	Patient A	Buprenorphine
3	January 31, 2019	Patient A	Buprenorphine
4	February 27, 2019	Patient A	Buprenorphine
5	October 26, 2018	Patient B	Suboxone
6	November 2, 2018	Patient B	Suboxone
7	February 25, 2019	Patient B	Suboxone
8	January 10, 2019	Patient C	Suboxone
9	February 1, 2019	Patient C	Suboxone
10	March 1, 2019	Patient C	Suboxone
11	January 14, 2019	Patient D	Suboxone
12	January 23, 2019	Patient D	Suboxone
13	February 21, 2019	Patient D	Suboxone

All in violation of Title 21, United States Code, Section 841(a)(1).

MICHAEL B. STUART
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By:



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